REMARKS

Claims 1, 31-35 and 37 are presented for examination in this application, of which Claims 1, 35 and 37 are in independent form. Claims 7, 30, 36 and 38 have been canceled, without prejudice or disclaimer of subject matter. Claims 1, 32, 35 and 37 have been amended to define still more clearly what Applicant regards as his invention.

Initially, cancellation of Claim 26 obviates the objection to the specification.

In the Office Action, Claims 1, 31 and 33 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent 6,611,288 (Fossum et al.), Claims 7, 30, 32 and 34-37 were rejected under 35 U.S.C.§ 103(a) as being obvious from *Fossum* in view of U.S. Patent 5,805,216 (Tabei et al.); and Claim 38 was rejected as being obvious from *Fossum* in view of *Tabei* and U.S. Patent 6,573,927 (Parulski et al.).

First, the cancellation of Claims 7, 30, 36 and 38 renders the rejections of those claims moot.

In the aspects of the present invention set out in the respective independent claims, one important feature is dividing adjacent defective pixels into groups and storing the regional information of these groups and, in a case in which the defective pixels in the group are corrected, the other defective pixels of the group are not used to correct said defective pixels based on the regional information. By virtue of this feature, accurate correction can be achieved, because the correction of the defective pixels is not based on other defective pixels. Applicant urges strongly that nothing has been found in the art that would teach or suggest this feature.

For example, Claim 1 is directed to an image processing apparatus that comprises extraction means for extracting a pixel signal of an image pickup means that has

a plurality of pixels, and for determining positional information of defective pixels based on the pixel signal. Also provided are block-forming means for judging whether a plurality of the defective pixels are adjacent to each other, on the basis of the positional information of the defective pixels, and for extracting regional information of the adjacent defective pixels and dividing each of the adjacent defective pixels into groups. Storage means are provided for storing the extracted regional information of the adjacent defective pixels for each of the groups, and correction means correct the defective pixels by using peripheral pixels of the defective pixels. According to Claim 1, however, the correction means do not use the other defective pixels of the group to correct the defective pixels based on the regional information of the group in a case in which the defective pixels in the group are corrected.

Fossum relates to a technique for dead-pixel correction, in which dead pixels are identified, and their locations are stored (unless the total number exceeds a pre-set limit). If dead pixels occur in one or another of several specific configurations, such as an entire row or column being defective, or if for example a pixel and all its immediate neighbors are defective, then only one dead-pixel address is stored for the entire set, along with a code indicating which of those configurations is present. This conserves the amount of memory needed to store the dead-pixel information.

Applicant submits, however, that nothing has been found, or pointed out, in *Fossum* that would teach or suggest correction means that do not use other defective pixels of a group to correct given defective pixels based on the regional information of the group, in a case in which the defective pixels in the group are corrected, as recited in Claim 1. For at least that reason, Claim 1 is believed clearly allowable over *Fossum*.

Even if *Tabei* and *Parulski* are deemed to teach all that they are cited for, that would not supply what is missing from *Fossum* as a reference against Claim 1.

Moreover, each of the other independent claims is deemed allowable over any permissible (if any) combination of those three patents, for the same reasons as discussed above in regard to Claim 1.

A review of the other art of record has failed to reveal anything which, in Applicant's opinion, would remedy the deficiencies of the art discussed above, as references against the independent claims herein. Those claims are therefore believed patentable over the art of record.
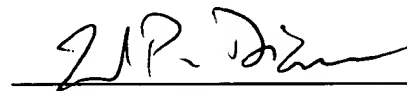
The other claims in this application are each dependent from independent Claim 1, and are therefore believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

This Amendment After Final Action is believed clearly to place this application in condition for allowance and its entry is therefore believed proper under 37 C.F.R. § 1.116. At the very least, cancellation of Claims 7, 30, 36 and 38 eliminates all issues relating to those claims. In any event, entry of this Amendment After Final Action, as an earnest effort to advance prosecution and reduce the number of issues, is respectfully requested. Should the Examiner believe that issues remain outstanding, the Examiner is respectfully requested to contact Applicant's undersigned attorney in an effort to resolve such issues and advance the case to issue.

In view of the foregoing amendments and remarks, Applicant respectfully requests favorable reconsideration and early passage to issue of the present application.

Applicant's undersigned attorney may be reached in our New York Office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,

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